

**CHAPTER 1214**

**APPROPRIATIONS – AGRICULTURE AND NATURAL RESOURCES**

**S.F. 2446**

**AN ACT** relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing effective dates.

*Be It Enacted by the General Assembly of the State of Iowa:*

**DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP**

Section 1. GENERAL APPROPRIATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

**1. ADMINISTRATIVE DIVISION**

a. For salaries, support, maintenance, the support of the state 4-H foundation, support of the statistics bureau, and miscellaneous purposes, and for the salaries and support of not more than the following full-time equivalent positions:

.....	\$	1,836,111
.....	FTEs	43.45

(1) Of the amount appropriated and full-time equivalent positions authorized in this paragraph "a", \$322,406 and 7.00 FTEs shall be used to support horticulture.

(2) Of the amount appropriated in this paragraph "a", \$50,000 shall be allocated to the state 4-H foundation to foster the development of Iowa's youth and to encourage them to study the subject of agriculture.

(3) Of the amount appropriated and full-time equivalent positions authorized in this paragraph "a", \$130,519 and 4.00 FTEs shall be allocated to the statistics bureau to provide county-by-county information on land in farms, production by crop, acres by crop, and county prices by crop. This information shall be made available to the department of revenue and finance for use in the productivity formula for valuing and equalizing the values of agricultural land.

(4) Of the amount appropriated in this paragraph "a", not more than \$5,000 shall be allocated to the Iowa limousin cattle junior association in connection with the 1996 national junior limousin cattle show.

(5) Of the amount appropriated in this paragraph "a", \$500 shall be allocated as state aid to support the north Iowa poultry expo.

(6) Of the amount appropriated and full-time equivalent positions authorized in this paragraph "a", \$71,486 and 1.00 FTE shall be allocated to support the administrative assistant VI position created in section 26 of this Act.

b. For the operations of the dairy trade practices bureau:

.....	\$	66,846
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c. For the purpose of performing commercial feed audits:

.....	\$	64,698
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d. For the purpose of performing fertilizer audits:

.....	\$	64,697
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**2. REGULATORY DIVISION**

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,858,960
.....	FTEs	122.50

Of the amount appropriated pursuant to this paragraph "a", not more than \$10,000 shall be used to support the hiring and training of a meat and poultry inspector in west-central Iowa.

b. For the costs of inspection, sampling, analysis, and other expenses necessary for the administration of chapters 192, 194, and 195:

.....	\$	651,220
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3. LABORATORY DIVISION

a. For salaries, support, maintenance, and miscellaneous purposes, including the administration of the gypsy moth program, and for not more than the following full-time equivalent positions:

.....	\$	852,475
.....	FTEs	85.10

(1) Of the amount appropriated in this paragraph "a", \$110,000 shall be used to administer a program relating to the detection, surveillance, and eradication of the gypsy moth. The department shall allocate and use the appropriation made in this paragraph before moneys other than those appropriated in this paragraph are used to support the program.

*\*(2) Of the amount appropriated and the number of full-time equivalent positions authorized in this paragraph "a", \$49,850 and 1.00 FTE shall be used to support an additional regional entomologist for purposes of conducting laboratory and field inspection activities.\**

(3) Of the number of full-time equivalent positions authorized in this paragraph "a" and funded in paragraph "c", 1.00 FTE shall be used to support an organics program coordinator who shall assure compliance of organic foods sold commercially within the state with federal regulations relating to organic foods.

b. For the operations of the commercial feed programs:

.....	\$	742,499
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c. For the operations of the pesticide programs:

.....	\$	1,291,781
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Of the amount appropriated in this paragraph "c", \$200,000 shall be allocated to Iowa state university for purposes of training commercial pesticide applicators.

d. For the operations of the fertilizer programs:

.....	\$	633,832
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4. SOIL CONSERVATION DIVISION

a. For salaries, support, maintenance, assistance to soil conservation districts, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	5,951,591
.....	FTEs	172.28

(1) Of the amount appropriated in this paragraph "a", \$330,000 shall be used to reimburse commissioners of soil and water conservation districts for administrative expenses. Moneys used for the payment of meeting dues by counties shall be matched on a dollar-for-dollar basis by the soil conservation division.

*\*(2) Of the amount appropriated and the number of full-time equivalent positions authorized in this paragraph "a", \$56,000 and 1.00 FTE shall be used to support a position for oversight of financial incentive programs.\**

b. To provide financial incentives for soil conservation practices under chapter 161A:

.....	\$	6,461,850
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c. The following requirements apply to the moneys appropriated in paragraph "b":

(1) Not more than 5 percent of the moneys appropriated in paragraph "b" may be allocated for cost sharing to abate complaints filed under section 161A.47.

(2) Of the moneys appropriated in paragraph "b", 5 percent shall be allocated for financial incentives to establish practices to protect watersheds above publicly owned lakes of the state from soil erosion and sediment as provided in section 161A.73.

(3) Not more than 30 percent of a district's allocation of moneys as financial incentives may be provided for the purpose of establishing management practices to control soil erosion on land that is row cropped, including but not limited to no-till planting, ridge-till planting, contouring, and contour strip-cropping as provided in section 161A.73.

(4) The state soil conservation committee created in section 161A.4 may allocate moneys to conduct research and demonstration projects to promote conservation tillage and nonpoint source pollution control practices.

(5) The financial incentive payments may be used in combination with department of natural resources moneys.

\*Item veto; see message at end of the Act

d. The provisions of section 8.33 shall not apply to the moneys appropriated in paragraph "b". Unencumbered or unobligated moneys remaining on June 30, 2000, from moneys appropriated in paragraph "b" for the fiscal year beginning July 1, 1996, shall revert to the general fund on August 31, 2000.

Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, to be used by the department to continue and expand the farmers' market coupon program by providing federal special supplemental food program recipients with coupons redeemable at farmers' markets, and for not more than the following full-time equivalent positions:

.....	\$	215,807
.....	FTEs	1.00

Sec. 3. PSEUDORABIES ERADICATION PROGRAM.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For support of the pseudorabies eradication program:

.....	\$	900,300
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2. Persons, including organizations interested in swine production in this state and in the promotion of Iowa pork products who contribute support to the program, are encouraged to increase financial support for purposes of ensuring the program's effective continuation.

Sec. 4. HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the regulatory division of the department of agriculture and land stewardship for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For salaries, support, maintenance, and miscellaneous purposes for the administration of section 99D.22:

.....	\$	192,560
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DEPARTMENT OF NATURAL RESOURCES

Sec. 5. GENERAL APPROPRIATION. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE AND SUPPORT SERVICES

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,002,389
.....	FTEs	119.25

Of the amount appropriated and the number of full-time equivalent positions authorized in this subsection 1, at least \$150,000 and 4.00 FTEs shall be used by administration and support services to support a compliance and permit assistance team to facilitate cooperation between the department and persons regulated by the department in order to ensure efficient compliance with applicable legal requirements.

2. PARKS AND PRESERVES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	5,546,988
.....	FTEs	195.73

**3. FORESTS AND FORESTRY DIVISION**

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,494,908
.....	FTEs	48.71

**4. ENERGY AND GEOLOGICAL RESOURCES DIVISION**

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,681,228
.....	FTEs	52.00

**5. a. ENVIRONMENTAL PROTECTION DIVISION**

(1) For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,920,509
.....	FTEs	214.50

(2) Of the amount appropriated and the number of full-time equivalent positions authorized in subparagraph (1) at least \$374,600 and 9.00 FTEs shall be used to support the regulation of animal feeding operations.

(3) Of the number of full-time equivalent positions authorized in subparagraph (1), 1.00 FTE shall be used to support the administration of the waste tire management fund, as provided in section 455D.11C, as enacted in 1996 Iowa Acts, House File 2433.\*

**b. WATER QUALITY PROTECTION FUND**

For allocation to the administrative account of the water quality protection fund established pursuant to section 455B.183A, to carry out the purpose of that account:

.....	\$	729,000
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(1) Of the number of full-time equivalent positions authorized in paragraph "a", 32.50 FTEs shall be dedicated to carrying out the provisions of chapter 455B relating to the administration, regulation, and enforcement of the federal Safe Drinking Water Act and to support the program to assist water supply systems as provided in section 455B.183B. However, the limitation on full-time equivalent positions provided in paragraph "a", shall not limit the number of additional full-time equivalent positions supported by moneys deposited in the water quality protection fund as provided in section 455B.183A, in order to carry out the provisions of division III of chapter 455B relating to the administration, regulation, and enforcement of the federal Safe Drinking Water Act, and the administration of the program to assist water supply systems pursuant to section 455B.183B.

(2) In providing assistance to water supply systems, the department shall provide priority to water supply systems serving a population of seven thousand or less. At least 2.00 FTEs shall be allocated to provide assistance to systems serving a population of seven thousand or less.

**6. FISH AND WILDLIFE DIVISION**

For not more than the following full-time equivalent positions:

.....	FTEs	342.18
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**7. WASTE MANAGEMENT ASSISTANCE DIVISION**

For not more than the following full-time equivalent positions:

.....	FTEs	16.75
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**Sec. 6. STATE FISH AND GAME PROTECTION FUND – APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.**

1. There is appropriated from the state fish and game protection fund to the division of fish and wildlife of the department of natural resources for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

\*Chapter 1117, §3 herein

For administrative support, and for salaries, support, maintenance, equipment, and miscellaneous purposes:

..... \$ 21,340,891

2. The department shall not expend more moneys from the fish and game protection fund than provided in this section, unless the expenditure derives from contributions made by a private entity, or a grant or moneys received from the federal government, and is approved by the natural resource commission. The department of natural resources shall promptly notify the legislative fiscal bureau and the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources concerning the commission's approval.

Sec. 7. MARINE FUEL TAX RECEIPTS – BOATING FACILITIES AND ACCESS. There is appropriated from the marine fuel tax receipts deposited in the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For maintaining and developing boating facilities and access to public waters by the parks and preserves division:

..... \$ 411,311

Sec. 8. SNOWMOBILE FEES – TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 1996, from the fees deposited under section 321G.7 to the fish and game protection fund and appropriated to the department of natural resources for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For enforcing snowmobile laws as part of the state snowmobile program administered by the department of natural resources:

..... \$ 100,000

Sec. 9. VESSEL FEES – TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 1996, from the fees deposited under section 462A.52 to the fish and game protection fund and appropriated to the department of natural resources for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the administration and enforcement of navigation laws and water safety:

..... \$ 1,300,000

Of the amount appropriated in this section and the full-time equivalent positions authorized by section 5, subsection 6, of this Act, not more than \$100,000 and 1.00 FTE may be used for purposes of controlling and eradicating eurasian milfoil.

Notwithstanding section 8.33, moneys transferred pursuant to this section which are unencumbered or unobligated on June 30, 1997, shall be transferred on July 1, 1997, to the special conservation fund established by section 462A.52 to be used as provided in that section, and shall not revert as provided in section 8.33.

RESOURCES ENHANCEMENT AND PROTECTION

Sec. 10. GENERAL APPROPRIATION. Notwithstanding the amount of the standing appropriation from the general fund of the state under section 455A.18, subsection 3, there is appropriated from the general fund of the state to the Iowa resources enhancement and protection fund, in lieu of the appropriation made in section 455A.18, for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the sum of \$9,000,000, of which all moneys shall be allocated as provided in section 455A.19.

RELATED APPROPRIATIONS

Sec. 11. APPROPRIATION AND TRANSFER FROM ORGANIC NUTRIENT MANAGEMENT FUND. There is appropriated and transferred from the organic nutrient management

fund, as created in section 161C.5, to the following entities in the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To Iowa state university for supporting odor control applications of animal feeding operations, including confinement feeding operations, regulated by the department of natural resources pursuant to chapter 455B:

..... \$ 400,000

a. Moneys provided under this subsection for odor control applications of animal feeding operations shall be provided on a dollar-for-dollar match with an individual owner or operator and shall not exceed the amount actually spent by or on behalf of the owner or operator for odor control.

b. Notwithstanding section 8.33, moneys provided under this subsection for odor control applications of animal feeding operations shall not revert to the organic nutrient management fund but shall remain available for use as provided in this subsection during the fiscal year beginning July 1, 1997, and ending June 30, 1998. The moneys provided in this subsection which remain unexpended or unobligated on June 30, 1998, shall revert to the organic nutrient management fund on August 31, 1998.

\*2. To Iowa state university for supporting a person connected with the United States department of agriculture who engages in animal control, for purposes of contributing to the control of animals, and especially predators, which pose a threat to this state's agriculture:

..... \$ 50,000

3. To the soil conservation division of the department of agriculture and land stewardship for supporting soil and water conservation district development, including the training of soil and water conservation district staff:

..... \$ 42,000

4. To the interstate agricultural grain marketing commission for carrying out duties of the commission as provided in Article IV of the interstate compact on agricultural grain marketing as provided in chapter 183:

..... \$ 80,000

5. a. To Iowa state university for supporting multiflora rose eradication research and projects:

..... \$ 25,000\*

b. Notwithstanding 1995 Iowa Acts, chapter 216, section 19, subsection 2, moneys allocated pursuant to 1995 Iowa Acts, chapter 216, section 19, subsection 1, paragraph "d", which remain unencumbered or unobligated on June 30, 1996, shall not revert pursuant to section 8.33, but shall remain available to Iowa state university for purposes of supporting multiflora rose eradication research and projects, for subsequent fiscal years.

\*6. To the soil conservation division of the department of agriculture and land stewardship to provide financial incentives for soil conservation practices under chapter 161A:

..... \$ 100,000

7. To Iowa state university, in cooperation with the farm section of the attorney general's office, in sponsoring an Iowa agriculture 2000 conference, with assistance provided by the department of agriculture and land stewardship and Iowa commodity organizations, for independent agricultural producers and other persons interested in the future of Iowa agriculture:

..... \$ 80,000

Moneys provided by this subsection shall be used to defray expenses incurred by Iowa state university and the farm section of the attorney general's office in planning and sponsoring the conference. Iowa state university shall prepare a report which accounts for moneys expended by the university in sponsoring the conference. The report shall be submitted to the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources on or before January 15, 1997.\*

Sec. 12. NONREVERSION OF MONEYS ALLOCATED TO IOWA GRAIN QUALITY INITIATIVE. Notwithstanding 1995 Iowa Acts, chapter 216, section 19, subsection 2,

\*Item veto; see message at end of the Act

moneys allocated pursuant to 1995 Iowa Acts, chapter 216, section 19, subsection 1, paragraph "f", subparagraph (1), which remain unencumbered or unobligated on June 30, 1996, shall not revert pursuant to section 8.33, but shall remain available to Iowa state university for purposes of supporting the Iowa cooperative extension service in agriculture and home economics in establishing and administering an Iowa grain quality initiative in subsequent fiscal years.

Sec. 13. TRANSFERS OF MONEYS REQUIRED TO BE DEPOSITED IN THE WATER PROTECTION FUND. Notwithstanding section 161C.4 and the reversion and allocation provisions in section 455A.19, subsection 1, paragraph "c", of the unencumbered and unobligated moneys remaining, which are required to be deposited in the water protection fund created in section 161C.4, as provided in section 455A.19, subsection 1, paragraph "c", the following amount shall be transferred first from moneys required to be deposited in the water protection practices account, and if necessary from moneys required to be deposited in the water quality protection projects account, which shall be used for the following purposes:

To the Loess Hills development and conservation authority, for deposit in the Loess Hills development and conservation fund created in section 161D.2 for the purposes specified in section 161D.1:

..... \$ 400,000

Sec. 14. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE UNDERGROUND STORAGE TANK FUND BOARD - TRANSFER. There is appropriated from the unassigned revenue fund administered by the Iowa comprehensive underground storage tank fund board, to the department of natural resources for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For administration expenses of the underground storage tank section of the department of natural resources:

..... \$ 75,000

Sec. 15. TRANSFER - AIR QUALITY. For the fiscal year beginning July 1, 1996, and ending June 30, 1997, the department of natural resources shall transfer up to \$430,000 from the hazardous substance remedial fund created pursuant to section 455B.423, to support purposes related to carrying out the duties of the commission under section 455B.133, or the director under section 455B.134, or for carrying out the provisions of chapter 455B, division II.

MISCELLANEOUS

Sec. 16. STUDY OF LOCATING FIELD OFFICE IN NORTH CENTRAL DISTRICT. The department of natural resources shall conduct a study of the feasibility of locating a field office in the department's north central district. On or before January 1, 1997, the department of natural resources shall submit a report including findings and recommendations resulting from the study to the committees of the general assembly which have jurisdiction over natural resources.

Sec. 17. STATE NURSERIES. Notwithstanding section 17A.2, subsection 10, paragraph "g", the department of natural resources shall adopt administrative rules establishing a range of prices of plant material grown at the state forest nurseries to cover all expenses related to the growing of the plants.

1. The department shall develop programs to encourage the wise management and preservation of existing woodlands and shall continue its efforts to encourage forestation and reforestation on private and public lands in the state.

2. The department shall encourage a cooperative relationship between the state forest nurseries and private nurseries in the state in order to achieve these goals.

Sec. 18. **TRANSFER OF MONEYS OR POSITIONS; CHANGES IN TABLES OF ORGANIZATION – NOTIFICATION.** In addition to the requirements of section 8.39, in each fiscal quarter, the department of agriculture and land stewardship and the department of natural resources shall notify the chairpersons, vice chairpersons, and ranking members of the joint appropriations subcommittee on agriculture and natural resources for the previous fiscal quarter of any transfer of moneys or full-time equivalent positions made by either department which is not authorized in this Act, or any permanent position added to or deleted from either department's table of organization.

Sec. 19. **AIR QUALITY PROGRAM – NONGENERAL FUND SUPPORT.** The department of natural resources for the fiscal year beginning July 1, 1996, and ending June 30, 1997, shall not use moneys appropriated from the general fund of the state pursuant to this Act, to support any purpose related to carrying out the duties of the commission under section 455B.133 or the director under section 455B.134, or for carrying out the provisions of chapter 455B, division II.

Notwithstanding section 455B.133B, the department may use moneys deposited in the air contaminant source fund created in section 455B.133B during the fiscal year beginning July 1, 1996, and ending June 30, 1997, for any purpose related to carrying out the duties of the commission under section 455B.133 or the director under section 455B.134, or for carrying out the provisions of chapter 455B, division II.

Sec. 20. **NATIVE AMERICAN WAR MEMORIAL.** The department of natural resources may purchase, with funds which become available under chapter 465A for the fiscal year beginning July 1, 1996, and ending June 30, 1997, lands on which to locate a native American war memorial.

Sec. 21. **SOIL AND WATER CONSERVATION CONFERENCE.**

1. The division of soil conservation of the department of agriculture and land stewardship shall sponsor a conference not later than September 1, 1996, regarding the protection of cropland soils in this state. The conference shall include discussions of the status of soil and water conservation as it relates to conservation compliance accomplishments, agricultural production policies, water quality protection, and the state's Iowa soil 2000 goal.

2. Conferees shall include representatives of the division of soil conservation, the state soil conservation committee, soil and water conservation districts, the natural resources conservation service of the United States department of agriculture, the cooperative extension service of Iowa state university, and the department of natural resources. The division of soil conservation shall invite other interested persons to serve as conferees, including members of Iowa's congressional delegation; the chairpersons and ranking members of the standing committees on agriculture, and on natural resources, environment, and energy of the senate; the chairpersons and ranking members of the standing committees on agriculture, on natural resources, and on environmental protection of the house of representatives; the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources; representatives of the United States environmental protection agency; and members of farm and commodity organizations.

3. The division of soil conservation shall report to the general assembly not later than January 15, 1997, regarding findings and recommendations of the conferees.

Sec. 22. **LAND ACQUISITION – NATURAL RESOURCE COMMISSION.** The natural resource commission, upon consultation with department of natural resources staff, shall develop and implement a land acquisition policy which shall be embodied in a strategic land acquisition plan administered by the department. The land acquisition policy and the land acquisition strategic plan shall provide for the acquisition of land in order to enhance the quality of existing state parks, state preserves, state forests, state wildlife areas, and state recreation areas. The commission shall consider all of the following factors and may consider additional factors:

1. The enhancement of the goals of an ecosystem or biodiversity management plan for a state park, state preserve, state forest, state wildlife area, or state recreation area.
2. The proximity or contiguity of the land to a state park, state preserve, state forest, state wildlife area, or state recreation area.
3. The quality of existing natural communities existing on the land.
4. The presence on the land of threatened or endangered species.
5. The potential for enhancing the natural quality or recreational potential of land owned or managed for conservation purposes by other public or nonprofit entities.
6. The risk of losing natural assets through the sale of the land to a competing interest.
7. The preservation or enhancement of unique irreplaceable archaeological, historical, or cultural features existing on land owned or managed for such purposes by other public or nonprofit entities.

**Sec. 23. GIFT CERTIFICATES FOR SPECIAL PRIVILEGE FEES ON STATE PARKS AND RECREATION AREAS.** The department of natural resources shall publish and make available for purchase by the general public gift certificates entitling the bearer of the certificate to free camping and other special privileges at state parks and recreation areas. The department shall establish prices for the certificates based on amounts required to be paid in fees for camping and special privileges pursuant to section 461A.47.

**Sec. 24. APPROPRIATIONS CONDITIONAL UPON IMPLEMENTATION OF CERTAIN PROVISIONS.** As a condition of the appropriations made to the department of agriculture and land stewardship in sections 1 through 4 of this Act, the following shall occur as provided in sections 26 and 27 of this Act by July 1, 1996:

1. The department shall complete all administrative functions necessary to transfer the powers and duties of the deputy secretary of agriculture to the interim assistant secretary of agriculture.
2. The office from which the position of deputy secretary of agriculture performed duties on January 1, 1996, shall be vacated until the position of interim assistant secretary of agriculture is filled.

**Sec. 25. DEPUTY SECRETARY OF AGRICULTURE – POSITION ELIMINATED.** Notwithstanding contrary provisions in sections 14A.1 and 159.14, the position of deputy secretary of agriculture is eliminated.

**Sec. 26. ADMINISTRATIVE ASSISTANT VI POSITION.** An additional position of administrative assistant VI is created within the department of agriculture and land stewardship. The duties of the position shall not include any matter relating to personnel, including the appointment of an interim assistant secretary of agriculture as provided in section 27 of this Act; or the administration of or budgeting for the department or its administrative units, including divisions within the department. The position shall not have jurisdiction over the heads of the department's administrative units, including division directors. Notwithstanding chapter 19A, the person appointed to fill the position shall serve at the pleasure of the secretary of agriculture. The secretary of agriculture shall prepare and submit a written report to the chairpersons and ranking members of the house and senate standing committees on appropriations and to the legislative fiscal bureau director not later than August 31, 1996, describing the duties and responsibilities of the position.

**Sec. 27. INTERIM ASSISTANT SECRETARY OF AGRICULTURE.** The position of interim assistant secretary of agriculture is created within the department of agriculture and land stewardship. The secretary of agriculture shall appoint a person to serve as the interim assistant secretary of agriculture, at any time after the effective date of this section of this Act. However, the person appointed as interim assistant secretary of agriculture shall not fill that position before January 15, 1997. Notwithstanding chapter 19A, the person appointed as interim assistant secretary of agriculture shall serve at the pleasure of the secretary of agriculture. The interim assistant secretary of agriculture shall have the same powers and duties

performed by the position of the deputy secretary of agriculture, as that position existed on January 1, 1996. Until the appointment of the interim assistant secretary of agriculture is made, the interim assistant secretary of agriculture's duties shall be performed by the administrative division director of the department of agriculture and land stewardship who shall be acting interim assistant secretary of agriculture. Upon appointment, the interim assistant secretary of agriculture shall receive compensation at the same pay grade at which the position of deputy secretary of agriculture was compensated immediately prior to the effective date of this section of this Act. No position shall be housed in the office from which the position of deputy secretary of agriculture performed duties on January 1, 1996, until the appointment of the interim assistant secretary of agriculture, who shall be housed in that office.

#### CODIFIED CHANGES

##### Sec. 28. NEW SECTION. 2.55A DEPARTMENTAL INFORMATION REQUIRED.

1. The department of agriculture and land stewardship and the department of natural resources, in cooperation as necessary with the department of management and the department of personnel, shall provide a list to the legislative fiscal bureau, on a quarterly basis, of all permanent positions added to or deleted from the departments' table of organization in the previous fiscal quarter. This list shall include at least the position number, salary range, projected funding source or sources of each position, and the reason for the addition or deletion. The legislative fiscal bureau may use this information to assist in the establishment of the full-time equivalent position limits authorized in law for the departments.

2. The department of natural resources shall provide the legislative fiscal bureau information and financial data by cost center, on at least a monthly basis, relating to the indirect cost accounting procedure, the amount of funding from each funding source for each cost center, and the internal budget system used by the department. The information shall include but is not limited to financial data covering the department's budget by cost center and funding source prior to the start of the fiscal year, and to the department's actual expenditures by cost center and funding source after the accounting system has been closed for that fiscal year.

3. The department of agriculture and land stewardship shall provide the legislative fiscal bureau information and financial data on at least a monthly basis, relating to the internal budget system used by the department. The information shall include but is not limited to financial data covering the department's budget prior to the start of the fiscal year, and to the department's actual expenditures after the accounting system has been closed for that fiscal year.

##### Sec. 29. NEW SECTION. 8.60A TRUST FUND INFORMATION.

The department of revenue and finance in cooperation with each appropriate agency shall track receipts to the general fund of the state which under law were previously collected to be used for specific purposes, or to be credited to, or be deposited to a particular account or fund, as provided in section 8.60.

The department of revenue and finance and each appropriate agency shall prepare reports detailing revenue from receipts previously deposited into each of the funds. A report shall be submitted to the legislative fiscal bureau at least once for each three-month period as designated by the legislative fiscal bureau.

Sec. 30. Section 166D.10, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 4. In addition to other applicable requirements of this section, feeder swine shall not be moved into this state from another state except to slaughter, unless the feeder swine are vaccinated by a differentiable vaccine within forty-five days of arrival in this state.

Sec. 31. Section 455A.18, subsection 3, unnumbered paragraph 1, Code 1995, is amended to read as follows:

For each fiscal year of the fiscal period beginning July 1, ~~1990~~ 1997, and ending June 30, ~~2001~~ 2021, there is appropriated from the general fund, to the Iowa resources enhancement and protection fund, the amount of ~~thirty~~ twenty million dollars, ~~except that for the fiscal year beginning July 1, 1990, the amount is twenty million dollars,~~ to be used as provided in this chapter. However, in any fiscal year of the fiscal period, if moneys from the lottery are appropriated by the state to the fund, the amount appropriated under this subsection shall be reduced by the amount appropriated from the lottery.

Sec. 32. NEW SECTION. 455A.21 PREFERENCE PROVIDED – PERSONS MEETING ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM.

In its employment of persons in temporary positions in conservation and outdoor recreation, the department of natural resources shall give preference to persons meeting eligibility requirements for the green thumb program under section 15.227 and to persons working toward an advanced education in natural resources and conservation.

Sec. 33. FUTURE REPEAL. Sections 25 through 27 of this Act are repealed on December 31, 1998.

Sec. 34. EFFECTIVE DATES.

1. This subsection, section 11, subsection 5, paragraph “b”, and section 12 of this Act, being deemed of immediate importance, take effect upon enactment.
2. The amendment to section 455A.18 in this Act takes effect on July 1, 1997.

*Approved May 29, 1996, except the items which I hereby disapprove and which are designated as Section 1, subsection 3, paragraph a, subparagraph 2 in its entirety; Section 1, subsection 4, paragraph a, subparagraph 2 in its entirety; Section 11, subsections 2, 3, and 4 in their entirety; Section 11, subsection 5, paragraph a in its entirety; and Section 11, subsections 6 and 7 in their entirety. My reasons for vetoing these items are delineated in the item veto message pertaining to this Act to the Secretary of State this same date, a copy of which is attached hereto.*

TERRY E. BRANSTAD, Governor

Dear Mr. Secretary:

I hereby transmit Senate File 2446, an Act relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing effective dates.

Senate File 2446 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve Section 1, subsection 3, paragraph a, subparagraph 2, and Section 1, subsection 4, paragraph a, subparagraph 2, in their entirety. These items would fund two new positions in the Department of Agriculture and Land Stewardship which were not included in my budget recommendations.

I am unable to approve Section 11, subsections 2, 3, and 4, subsection 5, paragraph a, and subsections 6 and 7, in their entirety. These items make appropriations from the Organic Nutrient Management Fund for variety of purposes. The Organic Nutrient Management Fund was established to provide financial incentives to establish livestock manure management systems, to facilitate the proper utilization of livestock manure as a nutrient source, and

to protect water resources from livestock runoff. The vetoed items fall outside the intended purposes of the fund.

For the above reasons, I respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2446 are hereby approved as of this date.

Sincerely,  
TERRY E. BRANSTAD, Governor

**CHAPTER 1215**  
APPROPRIATIONS – EDUCATION  
H.F. 2477

**AN ACT** relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for education and cultural programs of this state and making related statutory changes and providing effective date provisions.

*Be It Enacted by the General Assembly of the State of Iowa:*

**COLLEGE STUDENT AID COMMISSION**

Section 1. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

**1. GENERAL ADMINISTRATION**

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	342,797
.....	FTEs	7.05

The college student aid commission shall conduct a study of and consider possible differentiations in the grants awarded that are based upon parental income and assets under the Iowa tuition grant program and shall consider the reimbursement of grant moneys by a student if the student does not complete a term of study funded by an Iowa tuition grant or a vocational-technical tuition grant. The commission shall submit a report of its findings and recommendations to the general assembly by January 1, 1997.

**2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH SCIENCES**

a. For forgivable loans to Iowa students attending the university of osteopathic medicine and health sciences, under the forgivable loan program pursuant to section 261.19A:

.....	\$	379,260
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b. For the university of osteopathic medicine and health sciences for an initiative in primary health care to direct primary care physicians to shortage areas in the state:

.....	\$	395,000
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The moneys appropriated in this lettered paragraph shall be used as follows:

(1) To reduce student loan debt for primary care physicians in an amount not to exceed \$30,000 per student for a four-year period of medical service in medically underserved areas of the state.

(2) For tuition scholarships for students attending the university of osteopathic medicine and health sciences who agree to practice primary care medicine in medically underserved